

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 20, 2021
Rough Draft

HUGHES: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the tenth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Steve Erdman. Please rise.

ERDMAN: Thank you, Mr. President. Let us pray. Father, we thank you for this opportunity to gather here to do the work of the people. We thank you most of all for choosing us to be in this position. We pray that you would lead and guide us. And your word says that if any man lacks wisdom, let them ask of God and he shall give it to you liberally. So we pray this morning, you know, give us wisdom to make correct decisions. We also pray today that you would give people hope. We understand that your word says, without a vision, my people perish. And Lord, we know that we have put our confidence in government and in man and those are the wrong things to have your confidence in, Lord. And so we just pray that you would give us hope when we put our trust and faith in you and we thank you for sending your son to die on the cross to pay for our sins. And we appreciate the fact that he's redeemed us and we thank you for that. We pray now that this day would be pleasing to you and the things we do would be also pleasing. We ask these things in Jesus' name. Amen.

HUGHES: Thank you, Senator Erdman. I call to order the tenth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: I have a quorum present, Mr. President.

HUGHES: Thank you, Mr. Clerk. Are there any corrections to the Journal?

ASSISTANT CLERK: No corrections this morning.

HUGHES: Thank you. Are there any messages, reports, or announcements?

ASSISTANT CLERK: Just one, Mr. President. A pair of reference reports from the Referencing Committee referencing LB487 through LB587, as well as LR25, LR26CA, LR27CA, and LR28. The, the second one referencing LB379 through LB419 and LR22CA. The final one referencing LB420 through LB486, including LR24CA as well as certain gubernatorial appointments. That's all I have at this time, Mr. President.

HUGHES: Thank you, Mr. Clerk. We will now proceed to the agenda, which is introduction of new bills.

ASSISTANT CLERK: Thank you, Mr. President. LB588, introduced by, introduced by Senator Stinner, is a bill for an act relating to capital construction; renames and changes provision of the University of Nebraska Facilities Program 2006 and the State College Facilities Program 2006; eliminates the University Nebraska Facilities Program in the State College Facilities Program; harmonizes provisions; repeals the original sections; and outright repeals several sections; and declares an emergency. LB589, introduced by Senator Groene, is a bill for an act relating to natural resources; changes integrated management plan provisions relating to water augmentation projects for natural streams; and repeals the original section. LB590, introduced by Senator Groene, is a bill for an act relating to elections; changes provisions relating to when ballots shall be ready for delivery for early voting; changes provisions relating to when a registered voter may appear in person to obtain a ballot prior to the day of election; repeals the original section. LB591, introduced by Senator Groene, is a bill for an act relating to water; requires a permit for any natural resources district water augmentation project; and repeals the original section. LB592, introduced by Senator Stinner, is a bill for an act relating to Automated Medication Systems Act; provides for the use of automated medication distribution machines as prescribed; and repeals the original section. LB593, introduced by Senator Slama, is a bill for an act relating to foreign-country money judgments; adopts the Uniform Foreign-Country Money Judgment Recognition Act and the Uniform Registration of Canadian Money Judgments Act. LB594, introduced by Senator Slama, is a bill for an act relating to economic development; adopts the Rural Workforce Crisis Act. LB595, introduced by Senator Albrecht, is a bill for an act relating to revenue and taxation; provides a sales and use tax exemption for certain products used in the process of manufacturing ethyl alcohol; harmonize provisions; provides an operative date; and repeals the original section. LB596, introduced by Senator Albrecht, is a bill for an act relating to revenue and taxation; adopts the Nebraska Higher Blend Tax Credit Act; harmonize provisions; repeals the original section. LB597, introduced by Senator Albrecht, is a bill for an act relating to income taxes; provides a tax credit for parents of stillborn children; and repeals the original section. LB598, introduced by Senator Wishart, is a bill for an act relating to Department of Edu-- Economic Development; adopts the Small Business Stabilization Grant Program Act; and declares an emergency. LB599, introduced by Senator Lindstrom, is a bill for an act relating to revenue and taxation; changes an exemption from the documentary stamp tax; and repeals the original section. LB600, introduced by Senator Brandt, is a bill for

an act relating to broadband; redefines terms, changes of bond issuance provision under the Municipal Infrastructure Redevelopment Act; changes powers of public power districts and electric cooperatives as prescribed; defines terms; states legislative findings and declarations; harmonize provisions; and repeals the original section. LB601, introduced by Senator McKinney, is bill for an act relating to law enforcement; requires law enforcement agencies to maintain records regarding officer discipline; makes certain records relating to law enforcement officers public; creates a public database; provides a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; harmonizes provisions; and repeals the original section. LB602, introduced by Senator Pahls, is a bill for an act relating to motor vehicles; defines terms; provides duties for insurers relating to aftermarket parts and total loss declarations; provides requirements for consumer care of a motor vehicle related to aftermarket parts. That's all I have at this time, Mr. President. New bills. LB603, introduced by Senator Aguilar, is a bill for an act relating to consumer protection; adopts the Organized Consumer Product Theft Prevention Act. LB604, introduced by Senator Geist, is a bill for an act relating to telecommunications; adopts the Nebraska Accelerated Broadband Deployment Grant Program Act; changes the Nebraska Telecommunications Regulation Act and the Nebraska Telecommunications Universal Service Fund Act as prescribed; defines terms; harmonize provisions; repeals the original section. LB605, introduced by Senator Wishart, is a bill for an act relating to outdoor recreation and education; creates the Outdoor Recreation and Education Study Committee of the Legislature. LB606, introduced by Senator Hilgers, is a bill for an act relating to power districts; clarifies provisions; and repeals the original section. LB607, introduced by Senator Hilgers, is a bill for an act relating to schools; corrects references to a federally defined term; and repeals the original section. LB608, introduced by Senator Hilgers, is a bill for an act relating to the State Racing Commission; eliminates obsolete provisions; harmonize provisions; and repeals the original section. LB609, introduced by Senator Hilgers, is a bill for an act relating to Uniform Credentialing Act; modernizes language; and repeals the original section. LB610, introduced by Senator Hilgers, is a bill for an act relating to Motor Vehicle Registration Act; changes provisions relating to improper issuance of a certificate of registration; repeals the original section. LB611, introduced by Senator Hilgers, is a bill for an act relating to property taxes; corrects a reference to a defined term; and repeals the original section. LB612, introduced by Senator Lathrop. It's a bill for an act

relating to motor vehicles; changes liability insurance and financial responsibility requirements; provides an operative date; and repeals the original section. LB613, introduced by Senator Erdman, is a bill for an act relating to the Tax Equalization and Review Commission; changes provisions relating to hearings and decisions on appeals; and, and repeals the original section. LB614, introduced by Senator Erdman. It's a bill for an act relating to the Livestock Brand Act; repeals the original section; outright repeals several sections. LB615, introduced by Senator Erdman, is a bill for an act relating to Game and Parks Commission; provides for the election of commission members as prescribed and eliminates obsolete provisions; harmonize provisions; and repeals the original section. LB616, introduced by Senator Hughes, is a bill for an act relating to abandoned motor vehicles; changes the value requirement for vesting of title in the authority of state agency [SIC]; changes local authority and state agency notice requirements; harmonize provisions; repeals the original section. LB617, introduced by Senator Hughes, is a bill for an act relating to Game and Parks Commission; changes provisions relating to a commission authority; and repeals the original section. LB618, introduced by Senator Hughes. It's a bill for an act relating to game and parks; defines terms relating to annual and temporary park permits; and repeals the original section. LB619, introduced by Senator Sanders. It's a bill for an act relating to the One-Call Notification System Act; redefines a term; provides minimal depth requirements for certain underground facility installations; and repeals the original section. LB620, introduced by Senator Vargas, is a bill for an act relating to treatment and corrections; limits the use of restrictive housing and solitary confinement; redefines terms; and repeals the original section. LB621, introduced by Senator Friesen, is a bill for an act relating to social media; adopts the Social Media Fairness Act. LB622, introduced by Senator Friesen, is a bill for an act relating to property taxes; limits the growth of real property valuations as prescribed; provides adjustment to assessed value as prescribed; harmonize provisions; provides an operative date; and repeals the original section. That's all I have at this time, Mr. President.

SLAMA: Senator Hughes, you're recognized for an announcement.

HUGHES: Thank you, Madam President. Good morning, colleagues. Just a quick reminder that there will be testing, COVID testing, tomorrow morning for senators and staff-- this is not open to the public-- that will be across the hall in the Warner Chamber. And I believe from-- I'll have to check with my staff, but I think it's from 8:30 to 9:30,

but I will double-check that, but same times as last week and that testing is for senators and their staff. Thank you, Madam President.

SLAMA: Thank you, Senator Hughes. Mr. Clerk, for new bills.

ASSISTANT CLERK: Thank you, Madam President. LB623, introduced by Senator Vargas, is a bill for an act relating to education; adopts the Remote Instruction Act; changes collective-bargaining requirements; defines and redefines terms; provides duties for attendance officers and school districts; changes provisions relating to tax levies as prescribed; harmonize provisions; and repeals the original section. LB624, introduced by Senator McCollister is a bill for an act relating to treatment and corrections; provides for earned time credit reductions, minimum terms of prisoners at the Department of Correctional Services; defines terms; harmonize provisions; and repeals the original section. LB625, introduced by Senator Vargas, is a bill for an act relating to revenue and taxation; imposes a surtax on certain taxable income as prescribed; provides for the use of surtax proceeds; change provisions relating to early childhood education; harmonize provisions; repeals the original section. LB626, introduced by Senator Vargas, is a bill for an act relating to Child and Maternal Death Review; defines terms, redefines terms; changes team and team review provisions; harmonize provisions; repeals the original section. LB627, introduced by Senator Morfeld, is a bill for an act relating to elections; changes provisions relating qualified voters in certain public power district elections; harmonize provisions; and repeals the original section. LB628, introduced by Senator Morfeld, is a bill for an act relating to Des-- to the Dentistry Practice Act; changes provisions relating faculty licenses; and repeals the original section. LB629, introduced by Senator Morfeld, is a bill for an act relating to financial assistance related to COVID-19; requires a grant program to provide financial assistance to certain entities affected by event cancelations; declares an emergency. LB630, introduced by Senator Bostar. It's a bill for an act relating to schools; provides for a pilot program to the-- to study commercial air filters in classrooms as prescribed. That's all I have at this time, Mr. President-- Madam President, excuse me.

SLAMA: Senator Hughes, you're recognized for an announcement.

HUGHES: Thank you, Madam President. My apologies, colleagues. I had the times wrong for the testing tomorrow. It is from 8:00 to 10:00 and also there will be an email coming to you and your office outlining the procedures for that COVID testing. It's the same email that came

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out last week, but this one is going to be a reminder. So if you want to get tested, look for that email and follow the instructions and hopefully everybody comes up negative. Thank you, Madam President.

SLAMA: Thank you, Senator Hughes. Mr. Clerk, for announcements.

ASSISTANT CLERK: Thank you, Madam President. First of all, a notice of committee hearings for the Transportation and Telecommunications Committee, as well as the Health and Human Services Committee. In addition, new bills. LB631, introduced by Senator Bostar, is a bill for an act relating to rental property; defines a term; prohibits a county from prohibiting the use of property as a short-term rental as prescribed; and provides a duty for the Revisor of Statutes. LB632, introduced by Senator Bostar, is a bill for an act relating to the Department of Economic Development; defines terms; creates a subaccount within the Job Training Cash Fund; provides for an internship program; provides duties for the department; and repeals the original section. LB633, introduced by Senator Vargas, is a bill for an act relating to Motor Vehicle Industry Regulation Act; changes provisions relating to license applications, prohibited acts, and franchise restrictions; repeals the original section. LB634, introduced by Senator John Cavanaugh, is a bill for an act relating to the Nebraska Seed Law; provides a civil cause of action relating to unsafe disposal of treated seed; harmonize provisions; repeals the original section. LB635, introduced by Senator John Cavanaugh, is a bill for an act relating to elections; changes provisions relating to the nomination of election of certain partisan candidates as prescribed; harmonize provisions; provides an operative date; and repeals the original section. LB636, introduced by Senator John Cavanaugh, is a bill for an act relating to criminal procedure; eliminates cash bail, appearance bonds, and related provisions; provides procedures for rules and standards for release of a defendant's own recognition of conditional release; requires appointment of counsel as prescribed; changes provisions relating to conditional release of pretrial release agencies; eliminates obsolete pro-- and updates obsolete and outdated language; provides for rules; provides duties for the Supreme Court; defines a term; eliminates provisions relating to posting of bonds under the Nebraska Rules of the Road; harmonize provisions; repeals the original section; outright repeals several sections. LB637, introduced by Senator Vargas, is a bill for an act relating to public health; changes and eliminates powers of certain cities and villages; changes provisions relating to auth-- to the authority of certain local boards of health to control contagious diseases; eliminates certain review and approval powers of

the Department of Health and Human Services relating to rules and regulations of local boards of health; eliminates certain local health director powers as prescribed; provides county or district health departments with exclusive powers to control contagious or infectious diseases; eliminates boards of health for cities of the first class; harmonize provisions; repeals the original section; outright repeal section 16-238. LB680-- LB638, introduced by the Health and Human Services Committee. It's a bill for an act relating to courts; requires a report on juveniles discharged from youth rehabilitation treatment centers; and repeals the original section. LB639, introduced by Senator Day. It's a bill for an act relating to schools; adopts the Seizure Safe Schools Act. LB640, introduced by Senator Day. It's a bill for an act relating to the Tax Equity and Educational Opportunities Support Act; redefines terms; provides for early childhood education aid; provides a new allowance; harmonize provisions; repeals the original section. LB641, introduced by Senator Day. It's a bill for an act relating to schools; changes provisions regarding salaries during an ep-- epidemic; and repeals the original section. LB642, introduced by Senator Day, is a bill for an act relating to schools; provides reimbursements for mental health expenditures; to state intent for appropriations; change provisions relating to local school [SIC] formula resources; harmonize provisions; and repeals the original section. LB643, introduced by Senator Ben Hansen, is a bill for an act relating to fundamental rights; protects an individual liberty right to accept or decline a vaccination under the mandatory directive. LB644, introduced by Senator Ben Hansen, is a bill for an act relating to revenue and taxation; adopts the Property Tax Request Act; changes certain dates relating to tax levies; harmonize provisions; provides an operative date; and repeals the original section. LB645, introduced by Senator Ben Hansen, is a bill for an act relating to public health; provides for an enhanced penalty for violations of directed health measures committed by public officials involved in passing such measures. That's all I have at this time, Madam President.

SLAMA: Mr. Clerk, for new bills.

ASSISTANT CLERK: Thank you, Madam President. LB646, introduced by Senator Flood, is a bill for an act relating to appropriations; changes the maximum amount of certain scholarships; repeals the original section; declares an emergency. LB647, introduced by Senator Flood, is a bill for an act relating to cities of the first class; change provisions relating to public buildings and when a vote of the electors is required; and repeals the original section. LB648,

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introduced by Senator Flood, is a bill for an act relating to banking and finance; adopts the Transactions in Digital Assets Act. LB649, introduced by Senator Flood, is a bill for an act relating to banking and finance; adopts the Nebraska Financial Innovation Act; creates digital assets depository institutions, provides for charter, operation, supervision, and regulation of such institutions; harmonize provisions; provides for an operative date; and repeals the original section. LB650, introduced by Senator Flood. It's a bill for an act relating to carbon dioxide; adopts the Nebraska Geological [SIC] Storage of Carbon Dioxide Act; creates funds; provides penalties. LB651, introduced, introduced by Senator Wayne, is a bill for an act relating to students; provides a termination date for the enrollment option program; repeals the original section. LB652, introduced by Senator Wayne, is a bill for an act relating to economic development; adopts the Nebraska Historically Underutilized Business Program Act; and provides an operative date. LB653, introduced by Senator Wayne, is a bill for an act relating to Community Development Law; defines a term; changes provisions relating to the utilization of historically underutilized businesses, reporting requirements, and redevelopment contracts; harmonize provisions; repeals the original section. LB654, introduced by Senator Wayne, is a bill for an act relating to public funds; adopts the Public Entities Investment Trust Act. LB655, introduced by Senator Wayne, is a bill for an act relating to the Tobacco Products Act; changes provisions relating to the tax on cigars, on cigars, cheroots, and stogies as prescribed; harmonize provisions; provides an operative date; and repeals the original section. LB656, introduced by Senator Wayne. It's a bill for an act relating to municipalities; authorizes retail or wholesale broadband services or Internet services by a municipality; harmonize provisions; provides a, a duty for the Revisor of Statutes; and repeals the original section. In addition, Madam President, notice of committee hearings from the Natural Resources Committee. That's all I have at this time.

SLAMA: The Legislature will adjourn in 45 minutes. Please make sure your bills are introduced before that time, 45 minutes. Mr. Clerk, for new bills.

ASSISTANT CLERK: LB657, introduced by Senator Vargas, is a bill for an act relating to the Legislature; states findings; provides for racial impact statements for, for legislation; provides powers and duties for the office of Legislative Research. LB658, introduced by Senator McDonnell, is a bill for an act relating to Office of the Inspector General of the Nebraska Correctional System Act; requires a study and

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a report; states intent regarding appropriations; harmonize provisions; repeals the original section. LB659, introduced by Senator McDonnell. It's a bill for an act relating to the Legislature; creates the Workforce, Workforce Development Committee of the Legislature; provides an operative date; and declares an emergency. LB660, introduced by Senator McDonnell, is a bill for an act relating to the State Employees Collective Bargaining Act; authorizes collective bargaining on an administrative unit-wide basis as prescribed; eliminates obsolete provisions; repeals the original section; declares an emergency. LB661, introduced by Senator McDonnell, is a bill for an act relating to crimes and offenses; prohibits assault on a public transportation driver; changes and eliminates provisions and penalties relating to the offense involving assault of an officer, emergency responders, certain employees, or a health care professional; defines and redefines terms; harmonize provisions; repeals the original section; outright repeals section 28-931.01. LB662, introduced by Senator McDonnell, is a bill for an act relating to appropriations; states intent regarding appropriations to the Department of Health and Human Services. LB663, introduced by Senator Geist, is a bill for an act relating to mental health records; provides for the release, release of certain information to the Nebraska Commission on Law Enforcement and Criminal Justice; provides a duty for the commission; defines a term; harmonize provisions; repeals the original section. LB664, introduced by Senator Groene, is a bill for an act relating to Mutual Financial Assistance Fund; changes distributions from the fund as prescribed; and repeals the original section. LB665, introduced by the Business and Labor Committee. It's a bill for an act relating to claims against the state; disapproves certain claims. LB666, introduced by the Business and Labor Committee. It's a bill for an act relating to claims against the state; appropriates funds for the payment of certain claims; provides for payment of the claims; authorizes agencies to write off certain claims as prescribed; and declares an emergency. LB667, introduced by Senator Halloran, is a bill for an act relating to the Nebraska Workers' Compensation Act; provides for confidentiality of and access to certain injury reports; and repeals the original section. LB668, introduced by Senator Hughes, is a bill for an act relating to the Nebraska Game and Parks Commission; provides for the relocation of the commission headquarters as prescribed; and repeals the original section. LB669, introduced by Senator Vargas, is a bill for an act relating to postsecondary education; adopts the Veteran Promise Act. LB670, introduced by Senator Murman, is bill for an act relating to highways; authorizes the display of signs along roadways memorializing persons killed on

Nebraska roadways as prescribed; provides powers and duties for the Department of Transportation; harmonize provisions; and repeals the original section. LB671, introduced by Senator Murman, is a bill for an act relating to appropriations; states intent relating to the appropriations to the University of Nebraska. LB672, introduced by Senator Murman, is a bill for an act relating to revenue and taxation; change a sales tax exemption relating to agricultural machinery and equipment; provides an operative date; and repeals the original section. LB673, introduced by Senator Murman, is a bill for an act relating to education; adopts the Educational Behavioral Awareness and Support Act; changes the distribution of lottery funds; adds duties for the state school security director; changes the Tax Equity and Educational Opportunity Support Act; distributes funds; changes the determination and certification dates relating to the distribution of aid and duties of the Appropriations Committee of the Legislature; harmonize provisions; repeals the original section; declares an emergency. LB674, introduced by Senator Linehan, is a bill for an act relating to the Affordable Housing Tax Credit Act; redefines a term; changes provisions relating to allocation of use of tax credits; provides for applicability; harmonize provisions; repeals the original section. LB675, introduced by Senator Linehan, is a bill for an act relating to education; adopts the Education Lobbyists Pay Transparency Act. LB676, introduced by Senator Linehan, is a bill for an act relating to cigarette taxes; redefines a term; and repeals the original section. LB677, introduced by Senator Linehan, is a bill for an act relating to social services; changes provisions relating to eligibility for transitional child care assistance; harmonize provisions; repeals the original section. LB678, introduced by Senator Linehan, is a bill for an act relating to pharmacy benefits; transfers provisions relating to pharmacy benefits; requires an audit as prescribed; harmonize provisions; provides a duty for the Revisor of Statutes; repeals the original section; declares an emergency. LB679, introduced by Senator Linehan, is a bill for an act relating to revenue and taxation; requires the Tax Commission to collect lodging taxes imposed by cities and villages. LB680, introduced by Senator Linehan, is a bill for an act relating to income taxes; changes the corporate income tax rates as prescribed; and repeals the original section. LB681, introduced by Senator Linehan, is a bill for an act relating to Nebraska educational savings plan trust; provides additional tax benefits for Nebraska educational savings plan trust accounts; restates intent; changes provisions relating to withdrawals; includes savings plans for elementary and secondary elementary [SIC] education in the Nebraska educational savings trust plan; redefines

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terms; transfers provisions; to harmonize provisions; provides an operative date; and repeals the original section. LB682, introduced by Senator Linehan. It's a bill for an act relating to revenue and taxation; changes the, the New Markets Job Growth Investment Act as prescribed; and harmonize provisions; and repeals the original section. LB683, introduced by Senator Wayne. It's a bill for an act relating to net metering; states legislative declarations; redefines net metering and qualified facility; changes and provides powers for local distribution utility; harmonize provisions; and repeals the original section. LB684, introduced by Senator Clements. It's a bill for an act relating to labor; allows public school employees to join or terminate membership in a labor organization as prescribed; harmonizes provisions; repeals the original section; declares an emergency. Additionally, Madam President, some items-- or excuse me, introduction of LR29 by Senator Cavanaugh, calling for the Executive Board of the Legislative Council to meet and appoint a special committee of the Legislature to be known as the Eastern Service Area Child Welfare Contract Special Investigate-- Investigative and Oversight Committee of the Legislature. A letter from Speaker Hilgers, pursuant to Rule 4, Section 8, referring LR29 to the Reference Committee for referral to the appropriate standing committee. LR30, introduced by Senator Albrecht, honoring Julie Schmit-Albin for her fierce advocacy on the behalf of the unborn. LR31, introduced by Senator Geist, recognizing Mothers of Omphaloceles for the tireless efforts undertaken for advocates of child's with omphalocele and raise awareness that omphalocele is a treatable condition. Notice of committee hearings from the Revenue Committee. Proposed rule change from Senator Halloran that will be referred to the Rules Committee. A series of name adds: Senator John Cavanaugh added to LB65; Senator Brandt to LB135; Senator Pahls to LB6-- to LB263; Senator Gragert to LB389; Senator Briebe to LB581; Senator Albrecht also to LB581; and Senator McKinney to LB636. Finally, Mr. President, a motion to adjourn from Senator Clements until Thursday, January 21, 2021, at 9:30 a.m.

SLAMA: Thank you, Mr. Clerk. The question is, shall the Legislature adjourn until tomorrow at 9:30 a.m.? All those in favor say aye. All those opposed say nay. The Legislature is adjourned.